

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES ANDREW MELTON,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,

Defendants.

No. 2:21-cv-00833-JAM-JDP (PC)

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 3, 2021, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed November 3, 2021, are adopted in full;

- 1 2. Defendants' motion to dismiss, ECF No. 7, is granted.
- 2 3. Plaintiff's complaint, ECF No. 1 at 4-16, is dismissed with leave to amend.
- 3 4. Plaintiff shall file an amended complaint within thirty days of the date of this order.

4 Dated: December 22, 2021

5 /s/ John A. Mendez

6 THE HONORABLE JOHN A. MENDEZ

7 UNITED STATES DISTRICT COURT JUDGE

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